

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jon M Poe, Task Force Officer, United States Department of Justice,
United States Postal Inspector (USPI), being duly sworn, state:

INTRODUCTION

1. I am a Detective with the Yellowstone County Sheriff's Office where I have been assigned to the Eastern Montana High Intensity Drug Trafficking Area (EMHIDTA) task force since 2021. I currently hold the title of United State Postal Inspector Task Force Officer assigned to the USPIS Seattle Division, Big Sky Multi-Functional Team located in Billings, MT. I have been employed with the Yellowstone County Sheriff's Office since December of 2009. During this time, I have conducted routine uniformed patrol responsibilities, I have served as a School Resource Officer (SRO) and as a Detective, I have investigated complex cases involving Drug Trafficking Organizations (DTO's). I have been a member of the Yellowstone County Sheriff's Office Tactical Response Team (TRT) team since 2017. During my time working in law enforcement, I have attended multiple training courses pertaining specifically to drug investigations. I have taken part in cooperating witness interviews, cooperating defendant interviews, and debriefs with confidential human sources as part of my assigned duties. The information

contained in this affidavit is based on my own observations, training and experience and information provided to me by other task force members or other law enforcement officers.

2. Throughout my career, I have discussed with numerous law enforcement officers, cooperating defendants, and informants, the methods and practices used by gang members and narcotics distributors, and I am familiar with their typical methods of operation, including, the manufacturing, distribution, storage and transportation of narcotics, and the collection of money, which represents the proceeds of narcotics trafficking and money laundering.

DESCRIPTION

3. This Affidavit is submitted in support of a Criminal Complaint issued for Malea ORSER with date of birth in November 1997, charging her with Possession (or Attempted Possession) with Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, Section 841(a)(1) and Use of a Communication Facility in Committing Drug Offenses, in violation of 21 United States Code, Section 843(b). The statements in this Affidavit pertain to the investigation described below and are based in part on information provided by my own observations and experience as an USPI Task Force Officer, and the observation and experiences of other fellow law enforcement officers participating in the investigation. This Affidavit does not purport to contain all facts related to

this investigation, but only those facts necessary to establish probable cause with respect to the aforementioned offense.

PROBABLE CAUSE

1. On December 10, 2021, USPI TFO Poe submitted an application for a search warrant of ORSER's Facebook account information. The warrant was granted by the Honorable Judge Jessica Fehr. It was submitted to Facebook and the requested information was received on December 30, 2021.

2. The information gained from Facebook showed ORSER received multiple requests for 'blues' (Fentanyl) and 'clear' (Methamphetamine) from multiple individuals in the Billings, MT area.

3. On December 28, 2021, Agents of EMHIDTA was informed by a source of information, ORSER makes trips to Denver, CO two times a week in a rented vehicle and obtains 500-1000 fentanyl pills and transports them back to Billings, MT. This source of information has provided reliable and accurate information which was already known or if not known through further investigation was found to be reliable and accurate.

4. On January 16, 2022, USPI TFO Poe received information ORSER was planning a trip to Denver, Colorado to purchase approximately 4000 fentanyl pills (FBI Case- 281C-SU-3563520).

5. USPI TFO Poe applied for a PEN and trap warrant for ORSER's Verizon Wireless phone number (406-591-2623). The warrant was granted by Honorable Judge Jessica Fehr on January 13, 2022 and it was served to Verizon Wireless.

6. Agents of EMHIDTA monitored ORSER's phone location and on January 16, 2022 at 0600 HRS USPI TFO Poe received GPS information showing ORSER was in Sheridan Wyoming and traveling back to the Billings, MT area.

7. Agents of EMHIDTA responded to the area of I94, between Hardin, MT and Billings, MT. Agents observed a vehicle with a female passenger. The GPS information provided by Verizon Wireless confirmed the vehicle seen near mile marker 476 was the vehicle ORSER was traveling in.

8. A traffic stop was conducted, and the occupants were detained and interviewed. ORSER was identified as one of the occupants.

9. Agents of EMHIDTA performed a search of the vehicle due to vehicle acceptance to search warrant probable cause.

10. During that search, drug paraphernalia was located throughout the vehicle. Fentanyl pills were in multiple places within the vehicle, to include a lock box concealed in the rear driver side fender and contained inside writing pen bodies. The combined amount of fentanyl pills located in the vehicle was 158.4 grams (approximately 1580 pills). Suspected Methamphetamine was in the same

lock box with a weight of 224.3 grams and suspected heroin was also located contained in the lock box. The suspected Heroin had a weight of 24.9 grams.

11. The suspected illegal narcotics was sent to the DEA Laboratory for further testing.

12. On July 01, 2022, USPI TFO Poe discovered a package sent from Everett, WA to Billings, MT. It was shipped using the United States Postal System and sent via priority Express mail with a scheduled delivery date of July 01, 2022. The package's postage was paid with cash in the amount of \$26.95 it has a weight of 1 lbs 11.00 oz.

13. On July 05, 2022 USPI TFO Poe located the package at the Billings, MT Post Office at 841 S 26th St, Billings, MT. Further visual inspection of the package indicates the package is addressed to Ashley Williams, 1205 North 26th Street, Billings, MT 59101 from Stephan Johson, 13427 11 Pl W, Everett, WA 98204. The package shows a tracking number of EI 332 773 883 US.

14. USPI TFO Poe checked 13427 11 Pl W, Everett WA, through a Law Enforcement data base and there were no returned names of Stephan Johson listed at that address.

15. USPI TFO Poe checked 1205 North 26th Street, Billings, MT, through a Law Enforcement data base and there was no Ashley Williams listed at that address.

16. USPI TFO Poe checked Ashley Williams through a local Law Enforcement data base and located three individuals by the name of Ashley Williams. Each person did not have a local listed address of 1205 North 26th Street, Billings, MT. One listed Ashley Williams showed a residence in Butte, MT. One Ashley Williams showed a listed address of Laurel, MT and the third Ashley Williams showed a current address in Spokane, WA.

17. USPI TFO Poe recognized the address of 1205 North 26th St as the address owned by relatives of a Vivian Scott (DOB July 2002). Vivian Scott is suspected of trafficking and possessing illegal drugs in the Billings, MT area, by agents of HIDTA.

18. On 07/05/2022, USPI TFO Poe arranged for a Billings Police K-9 Officer and a K-9 to meet him at the United States Postal Office 841 S 26th St Billings, MT. Prior to the police K-9 and Officer's arrival, USPI TFO Poe laid out six packages some distance apart in an area of the post office away from employees and other packages. Billings Police K-9 Officer Best arrived at the location with his K-9 partner, Evan. Officer Best was not made aware of which parcel was believed to be suspicious. Officer Best deployed his K-9 and the K9 alerted and indicated on the suspicious USPS Priority Express Mail parcel addressed Ashley Williams, 1205 North 26th Street, Billings, MT 59101 from Stephan Johson, 13427 11 Pl W, Everett,

WA 98204 with tracking number EI 332 773 883 US. USPI TFO Poe secured the parcel.

19. A Federal Search warrant was applied for and granted by the Honorable Judge Timothy J. Cavan.

20. USPI TFO Poe served the search warrant and opened the package on July 05, 2022 at approximately 1630 HRS. Contained inside the package was six containers commonly used to package glass beads. Inside these containers were glass beads and multiple blue pills with M30 markings. This is a common marking for fentanyl pills. This is based of training and experience TFO Poe has obtained during his time assigned to EMHIDTA task force. The pills were separated from the glass beads and weighed. They produced a combined weight of 92.1 grams which amounts to approximately 920 pills.

21. Agents of EMHIDTA prepared for and planned a controlled pick up of the package on July 06, 2022 at approximately 1500 HRS. The suspect package was empty of any of the suspected fentanyl pills and the containers with the glass beads was left inside the package.

22. USPI TFO Poe located a phone number, 406-647-1050, tracking the suspected package. It was registered to the United State Post Office.

23. A United States Postal Employee called the registered phone number and spoke with a female who claimed to be the package recipient, Ashley

Williams. The Postal Employee stated the package was at the Post Office at 841 S 26th St and available for pick up.

24. While agents of EMHIDTA performed surveillance at the Post Office, a red Honda Accord bearing MT Plate CUF200 arrived in the west parking lot. Agents of EMHIDTA reported a female was in the car. The registered owner of the vehicle is a Vivian SCOTT. The vehicle drove through the parking lot, then left the area.

25. While agents of EMHIDTA continued to perform surveillance, a second red Honda Accord bearing Montana license plates 32-7306C came into the area and then left. This vehicle was observed earlier at 1205 North 26th St.

26. At approximately 1755 HRS, A black Cadillac bearing Montana plates AALX1974 and the red Honda Accord bearing Montana license plates 32-7306C arrived in the area.

27. The red Honda parked north of the Post Office, near the Women's Prison on S 26th St. A female with blonde hair, white tank top and jean shorts exited the vehicle and approached the Post Office.

28. The female entered the building and requested the package. The Post Office employees retrieved the package and gave it to the female, who then took possession of the package.

29. The female left the Post Office building and walked west towards the main parking lot. Agents of EMHIDTA intercepted her, and she was detained.

30. Other agents of EMHIDTA attempted to detain the occupants of the red Honda and the black Cadillac, however, the two vehicles fled from the area. The red Honda, drove onto the sidewalk of the Post Office and drove north, then turned west towards S 27th St. The black Cadillac maneuvered away from agents of EMHIDTA, drove north and then turned west towards S 27th St.

31. USPI TFO Poe and USPI Smith detained the female who identified herself as ORSER. USPI TFO recognized ORSER from the traffic stop involving ORSER.

32. USPI Smith and USPI TFO Poe escorted ORSER to USPI TFO Poe's assigned vehicle. She was placed in the front seat with her hands properly handcuffed in front of her.

33. USPI TFO Poe read the Ford FD 395 Advice of Rights to ORSER. She stated she understood her rights, waived them, and agreed to speak to me.

34. Below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties during the interview were electronically recorded. The recorded documents are the actual words spoke.

a. ORSER is living 1361 Easy St #5.

- b. Agents of EMHIDTA spoke to a source of information, who has provided information in the past that has been found to be truthful and credible, ORSER is living in an apartment on Easy Street and she has been distributing illegal substances in the Billings heights area.
- c. She said she was asked to pick up the package, and the package was not hers. She said she had written 'return to sender' because nobody was expecting the package and she said, "it wasn't for them."
- d. Vivian Scott is the one who answered the phone and claimed to be the package recipient, Ashley Williams.
- e. She admitted to using fentanyl. She said she used a week ago.
- f. At approximately 1640 HRS, CJ Lechner called and asked her to go with them to get the package. CJ Lechner said he would pay her to pick up the package. CJ Lechner and Joseph Hoffman were with Vivian Scott. They came to her apartment and picked her up.
- g. She was in the red Honda with CJ LECHNER and Vivian SCOTT. The red Honda belongs to Vivian SCOTT.
- h. She believes CJ LECHNER and Vivian SCOTT are staying at 1205 N 26th St.
- i. Joseph HOFFMAN was driving the black Cadillac.

j. She said CJ LECHNER told her the package was coming about a week ago, but he didn't tell her from where or from whom it was coming from. He didn't know what day it would be here.

35. ORSER had her personal cell phone on her person, and I requested consent to search her phone to verify her story. She provided consent and she signed a consent to search form giving consent.

36. ORSER unlocked the phone and when she did, the screen showed a new text message she was preparing to send. The message showed the tracking number for the suspect package addressed to 1205 North 26th St. It did not show a recipient for the message.

37. USPI Smith began to search the phone for any further information.

38. USPI TFO Poe continued to speak to ORSER. As USPI TFO Poe spoke with her, at approximately 1730 HRS, she started to become sick and asked for some water. She said she was dizzy, and she said she was feeling hot. I told her the air conditioner was on and it was cold in the car.

39. ORSER tilted her head back and her eyes rolled back. She began to produce heavy, raspy breathing and choke. She gagged and started to convulse. A patrol officer was contacted, and he responded to the area. ORSER was pulled from the vehicle and she was unresponsive. She continued to convulse, and the

Billings Fire Department responded. They assessed ORSER's condition, and she was transported to the Billings Clinic Emergency Room.

40. USPI TFO secured ORSER's phone and later located text messages between CJ LECHNER and her.

41. Below is an abbreviated version of the texted conversation between ORSER and CJ LECHNER.

- a. ORSER asks CJ LECHNER on July 05, 2022, "Did you get your stuff?" CJ LECHNER responds, "No." ORSER asks what happened and CJ LECHNER responds, "just waiting." At 1243 HRS, she asks, "Is it in route." He responds, "It's in Billings." She asks him, "Ah, shit heck ya, when do you usually get it?" He responds, "Early evening idk."

42. The phone number listed under CJ LECHNER is the same phone number which tracked the package addressed to 1205 North 26th St, 406-647-1050.

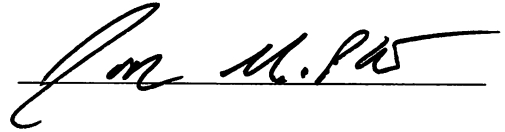
43. ORSER has been in custody since July 06, 2022 at approximately 1720 HRS.

44. ORSER was cleared and released from the Billings Clinic ER and transported to YCDF where she was remanded in on a Federal hold.

CONCLUSION

17. Based upon my knowledge of the overall investigation, I believe ORSER is involved in distribution of illicit drugs in Montana. Moreover, based upon my training, experience, and totality of the evidence noted herein, I believe probable cause exists that ORSER possessed with the intent to distribute fentanyl a Schedule III substance – in violation of Title 21, United States Code, Section 841(a)(1) in the State and District of Montana on July 06, 2022. Your Affiant also strongly believes the DEA laboratory results will show fentanyl within the evidence submitted to them. This is based off previous experience where blue M30 pills submitted to DEA laboratory return positive for fentanyl.

18. I swear that the facts presented herein are true and accurate to the best of my knowledge.

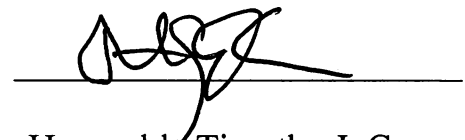
A handwritten signature in black ink, appearing to read "Jon M. Poe", is written over a horizontal line.

Jon M Poe

Task Force Officer

United States Postal Inspector

SWORN TO BEFORE ME AND SIGNED BY ME PURSUANT TO FEDERAL
RULE OF CRIMINAL PROCEDURE 4.1 AND 4(D) ON THE 7 DAY OF
JULY, 2022.

A handwritten signature in black ink, appearing to read "Timothy J. Cavan", is written over a horizontal line.

Honorable Timothy J. Cavan

United States Magistrate Judge

District of Montana